

# EXHIBIT 5

**From:** [Berkowitz, Nicole](#)  
**To:** [Vicky Sims](#); [Veronica Bosco](#)  
**Subject:** RE: Fusion Elite All Stars v. Varsity Brands, LLC, et al., No. 2:20-cv-2600  
**Date:** Monday, April 26, 2021 1:34:58 PM  
**Attachments:** [usasf\\_devices\\_mobile-endpoints\\_21-03-10.xlsx](#)

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Counsel,

Attached is the list of devices I mentioned on the call. This will ultimately be produced with a Bates stamp and confidentiality designation, but please treat this version as "Confidential" pursuant to the Protective Order.

Further, with respect to the Google Drives of Ali Stangle and Lynn Singer, I have been able to obtain the following information summarizing the types of documents contained on their drives:

Lynn Singer

- Video files for FUNdamentals curriculum, Cheer & Dance Rules education and Wellness Essentials discussions
- Graphics files for cheer & dance magazine ads, logos, print files for booklets, posters and items for the "Member Box" that USASF sends to members annually
- Photos used in marketing materials
- Photos from professional photographers taken at Worlds
- Word docs of Rules, various projects, meeting notes, magazine articles

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Alison Stangle

- Full videos of performances from Cheer Worlds
- Presentations relating to Worlds training for judges and coaches, event producer meetings
- Age grids
- Worlds results, scoring
- Expense reports
- Legality and safety documents
- IASF and USASF rules
- Senior extension eligibility
- Legality official course
- Documents relating to penalties, tiers of All Star (prep, elite, etc.), COVID adjustments
- Athletic Performance Standards
- Tumbling progressions

Many of the relevant/responsive documents are already being collected as "go-gets". When we speak later this week, we should discuss whether there is really a need to collect these Google Drives in their entirety or whether simply collecting certain categories of "go-get" documents might be sufficient.

Thanks,

**Nicole Berkowitz**

Associate  
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
165 Madison Avenue, Suite 2000  
Memphis, TN 38103

Direct: 901.577.8166 (forwarded to cell phone)

Fax: 901.577.0866

E-mail: [nberkowitz@bakerdonelson.com](mailto:nberkowitz@bakerdonelson.com)

[www.bakerdonelson.com](http://www.bakerdonelson.com)

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC represents clients across the U.S. and abroad from offices in Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, South Carolina, Tennessee, Texas and Washington, D.C.

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**From:** Berkowitz, Nicole

**Sent:** Sunday, April 25, 2021 8:54 PM

**To:** Vicky Sims <Vicky@cuneolaw.com>; Veronica Bosco <VBosco@labaton.com>

**Subject:** Fusion Elite All Stars v. Varsity Brands, LLC, et al., No. 2:20-cv-2600

Counsel,

Following up on our call last week and in anticipation of our upcoming call tomorrow, below is the information we had discussed. I am still working on getting more information about the materials in Ali Stangle and Lynn Singer's google drives. The information below is provided only in the context of providing more information to assist with the negotiation of ESI parameters.

Please also let me know when we can expect to receive a modified search term list from Plaintiffs. We will need to receive that soon if we are to have an opportunity to discuss the results in advance of the May 5 deadline.

Description of Custodian Roles

1. Glenda Broderick
  - a. Develops relationship with gym owners. Answers questions for members in most areas. Involvement included: membership requests/questions, Worlds (roster checks, helping teams prepare for meeting with paperwork, supervise the venue warm-up room staff), credentialing questions, interacting with gyms, interacting with event producers, the Athletic Performance Standards (answering questions), and the National Meeting (development of classes, teaching classes and recruiting members to attend).
2. Robin Galik
  - a. Develops relationship with gym owners. Answers questions for members in most areas. Involvement included: membership requests/questions, Worlds (roster checks, helping teams prepare for meeting with paperwork, supervise the venue warm-up room staff), credentialing questions, interacting with gyms, interacting with event producers, the Athletic Performance Standards (answering questions), and the National Meeting (development of classes, teaching classes and recruiting members to attend).
3. Kinshas Garrett
  - a. Develops relationship with gym owners. Answers questions for members in

most areas. Involvement included: membership requests/questions, Worlds (roster checks, helping teams prepare for meeting with paperwork, supervise the venue warm-up room staff), credentialing questions, interacting with gyms, interacting with event producers, the Athletic Performance Standards (answering questions), and the National Meeting (development of classes, teaching classes and recruiting members to attend).

4. Karen Wilson

- a. Helped develop Athletic Performance Standards. Develops relationship with gym owners. Answers questions for members in most areas. Involvement included: membership requests/questions, Worlds (roster checks, helping teams prepare for meeting with paperwork, supervise the venue warm-up room staff), credentialing questions, interacting with gyms, interacting with event producers, the Athletic Performance Standards (answering questions), and the National Meeting (development of classes, teaching classes and recruiting members to attend).

5. Shauna Holm

- a. Works with instructors and credentialing process. Develops relationship with gym owners. Answers questions for members in most areas. Involvement included: membership requests/questions, Worlds (roster checks, helping teams prepare for meeting with paperwork, supervise the venue warm-up room staff), credentialing questions, interacting with gyms, interacting with event producers, the Athletic Performance Standards (answering questions), and the National Meeting (development of classes, teaching classes and recruiting members to attend).

6. Angela Bruno

- a. Answers member questions and provides member support. Has variety of assignments at Worlds. Answers questions about credentialing, answers questions from gyms and gyms (mostly about the membership management system), answers questions about National Meeting and assists with registration at National Meeting.

7. Aricka Gates

- a. Worked on the development of the technical credentialing system. Helped with registration and credentialing record. Works with the technical registration system for National Meeting. Answers member questions and provides member support. Has variety of assignments at Worlds. Answers questions about credentialing, answers questions from gyms and gyms (mostly about the membership management system), answers questions about National Meeting and assists with registration at National Meeting.

8. Casey Winn

- a. Answers member questions and provides member support. Has variety of assignments at Worlds. Answers questions about credentialing, answers questions from gyms and gyms (mostly about the membership management system), answers questions about National Meeting and assists with

registration at National Meeting.

9. Alison Stangle

- a. Helped develop Athletic Performance Standards. Interacts with event producers. Interacts with members to answer questions mostly about Worlds or safety. Selects and trains judges for worlds. Responsible for the judging at Worlds. Answers questions regarding legalities and rules. Assists with National Meeting.

10. Andre Carter

- a. Handles Level 7 credentialing. Involved with credentialing testing development in regards to rules. Answers member questions regarding legalities, rules, and safety. Assists with Worlds and National Meeting. Interacts with gyms and event producers.

11. Dana Fielding

- a. Works with legality officials, interacts with event producers on rules questions or finding a legality official. Supports Ali Stangle with rules, legality, and safety. Answers questions regarding legalities and rules. Assists with National Meeting.

12. Lynn Singer

- a. Executive Director of Communications – generally oversees USASF communications. During Worlds, she is the “manager on site” in the Dance venue.

National Meeting

With respect to the National Meeting documents, Amy Clark has handled most of the planning and coordinating for the National Meeting. Most of the relevant documents would be on her Google Drive, but not necessarily in a particular folder. Other people have assisted as well, but Amy Clark would be the primary custodian.

Thanks,

**Nicole Berkowitz**

Associate  
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
165 Madison Avenue, Suite 2000  
Memphis, TN 38103  
Direct: 901.577.8166 (forwarded to cell phone)  
Fax: 901.577.0866  
E-mail: [nberkowitz@bakerdonelson.com](mailto:nberkowitz@bakerdonelson.com)  
[www.bakerdonelson.com](http://www.bakerdonelson.com)

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC represents clients across the U.S. and abroad from offices in Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, South Carolina, Tennessee, Texas and Washington, D.C.

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